

MAYOR & COUNCIL AGENDA COVER SHEET

MEETING DATE:

April 18, 2006

CALL TO PODIUM:

Patricia Patula, Planner

RESPONSIBLE STAFF:

Patricia Patula, Planner
Jacqueline Marsh, Planner

AGENDA ITEM:

(please check one)

	Presentation
	Proclamation/Certificate
	Appointment
	Public Hearing
<input checked="" type="checkbox"/>	Historic District Commission
	Consent Item
	Ordinance
	Resolution
<input checked="" type="checkbox"/>	Policy Discussion
	Work Session Discussion Item
	Other:

PUBLIC HEARING HISTORY:

(Please complete this section if agenda item is a public hearing)

Introduced	NA
Advertised	3-1-06
	3-8-06
Hearing Date	3-20-06
Record Held Open	4-13-06
Policy Discussion	4-18-06

TITLE:**HISTORIC DISTRICT COMMISSION****HD-31 Policy Discussion**

Historic Designation of the Housley/Gaither House at 106 North Summit Avenue

SUPPORTING BACKGROUND:

A joint public hearing with the Planning Commission and the Historic District Commission was held on March 20, 2006. Since that time, exhibits 22 through 28 have been added to the record and are included with this package.

After the closing of their record on March 28, 2006, at their meeting of April 5, 2006, the Planning Commission recommended "against historic designation to the Historic District Commission, and, acknowledging HPAC's findings, the (Planning) Commission further recommended preservation of the structures either by incorporation into future redevelopment or relocation." (See Exhibit 27.)

The record of the HDC closed on April 13, 2006. At the April 18th meeting, staff will present a brief synopsis of the staff analysis (Exhibit 26). After the HDC has reviewed the record and recommendations, the Commission will need to determine if the site meets the criteria for historic designation as a local historic site. Per Section 24-226(a) (Preservation Ordinance) and the referenced Section 24-196(h) (zoning map amendment), approval is to be done by ordinance and denial by resolution. Should the HDC deny the application, the City Manager can direct staff to issue the requested demolition permit for this property.

Attachments:
Index of Memoranda
Exhibits 22-28

DESIRED OUTCOME:

Vote on the Historic Designation application for HD-31.

Joint Public Hearing March 20, 2006
Historic District Commission/Planning Commission
Planning Commission Recommendation April 5, 2006
Historic District Commission Policy Discussion April 18, 2006

INDEX OF MEMORANDA
HD-31
106 North Summit Avenue

Number	Exhibit
1.	Application
2.	Maryland Historical Trust State Historic Sites Inventory Form
3.	State Department of Assessments and Taxation Assessment Record
4.	Criteria for Historic Designation, Section 24-226, City Code
5.	Memo dated February 15, 2006, from the Historic Preservation Advisory Committee (HPAC)
6.	Exterior and interior photographs of house and outhouse, taken December 2005
7.	Excerpt from "A Field Guide to American Houses"
8.	Minutes of HPAC meeting of February 2, 2006
9.	Memo dated February 15, 2006, from Planner Patula
10.	Transcript of HPAC recommendation of historic designation at the February 2, 2006 meeting
11.	Statement dated February 2, 2006 from Claudio Joseph
12.	Cover Sheet to HDC for policy discussion on February 21, 2006
13.	Notice to include legal ad for HDC and Planning Commission Joint Public Hearing in the March 1, 2006 and March 8, 2006, issues of <i>Gaithersburg Gazette</i>
14.	Notice of HDC and Planning Commission Joint Public Hearing sent February 28, 2006, to required parties

15. Mailing list for Joint Public Hearing, sent February 28, 2006
16. DRAFT Minutes from February 21, 2006, HDC meeting
17. Demolition Permit Application filed December 23, 2005 Claudio Joseph, on behalf of Maryland Development Community Trust LLC
18. Olde Towne Address Map
19. Sector 5 Excerpt from Adopted Olde Towne Master Plan of 2005 (map)
20. Sector 5 Excerpt from Adopted Olde Towne Master Plan of 2005
21. Power Point Presentation for HD-31

Exhibits received during or after the Public Hearing

22. **Memo dated March 13, 2006, from the Olde Towne Advisory Committee**
23. **Letter dated March 20, 2006, from Larry Luhn**
24. **E-mail with attachments, dated March 23, 2006, from Mary Jo LaFrance**
25. **Transcript of HDC/Planning Commission Joint Public Hearing, March 20, 2006**
26. **Staff Analysis**
27. **CPC-Memo to HDC from Planning Commission dated April 11, 2006**
28. **Minutes of Public Hearing held March 20, 2006**

MEMORANDUM TO: Mayor and City Council and Historic District Commission

FROM: Olde Towne Advisory Committee
David H. Shayt, Chair DS (CW)

DATE: March 13, 2006

SUBJECT: Olde Towne Advisory Committee's
Evaluation of the Historical Significance
106 North Summit Avenue

The Olde Towne Advisory Committee (OTAC) is pleased to have the opportunity to advise you on the proposal that the structures at 106 North Summit Avenue receive designation as historic property. At OTAC's March 2, 2006 meeting, this topic was examined in detail, following tours of the property by several of the members present. By unanimous vote (6-0), the Committee recommends against the historical designation of 106 North Summit.

The reasons for this vote are three-fold. First, there are examples of residences in the vernacular edition of the Craftsman Style elsewhere in central Gaithersburg at 15 and 25 Cedar Avenue, 607 S. Frederick Avenue, and inside the Brookes-Russell-Walker Historic District at 10 and 15 Brookes Avenue.

Second, the association of the house with the Gaither family links this home only indirectly with the family line that gave the city its name. It is our understanding that the property at 20 Brookes in the Historic District is directly connected to Benjamin Gaither, our city's namesake.

And finally, historical designation is an important long-term decision, one that says essentially that this is the highest and best use of this piece of property. We find the reasons given for the requested designation of 106 North Summit well-researched but not sufficiently compelling to rise to this level.

The long-term vitality of Olde Towne also is to be considered, in our view, when weighing the future of this property. As the Olde Towne Master Plan indicates, North Summit Avenue is an important residential/commercial gateway into Olde Towne. Carefully scaled construction along this avenue, including homes for a variety of income levels, is an aspect of Gaithersburg's commitment to smart growth, balanced by its commitment to the preservation of historic neighborhoods along adjacent streets.

cc: David B. Humpton, City Manager



105 North Summit Avenue
Gaithersburg, MD 20877

March 20, 2006

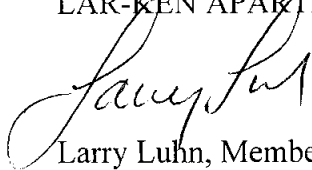
Mayor and City Council and Historic District
Commission of Gaithersburg:

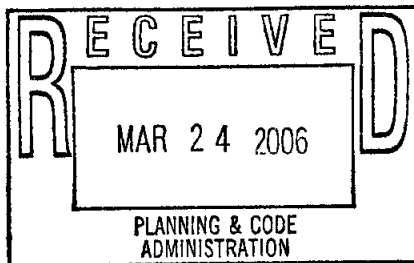
I own Lar-Ken Apartments which is located across the street from 106 North Summit Avenue. I have to disagree with the Historic Preservation Advisory Committee's recommendation of designating this as an historic property.

The newly revised Olde Towne Master Plan includes this property as part of a gateway into Olde Towne. The revitalization of this area is necessary to provide a positive, more unified first impression of Olde Towne for people entering from North Summit Avenue.

Thank you for your consideration.

Sincerely,
LAR-KEN APARTMENTS, LLC


Larry Luhn, Member



From: "ELIZABETH JOHNSON" <lizjo53@msn.com>
To: <papatula@gaithersburgmd.gov>
Date: 03/30/2006 3:19:22 PM
Subject: 106 N Summit

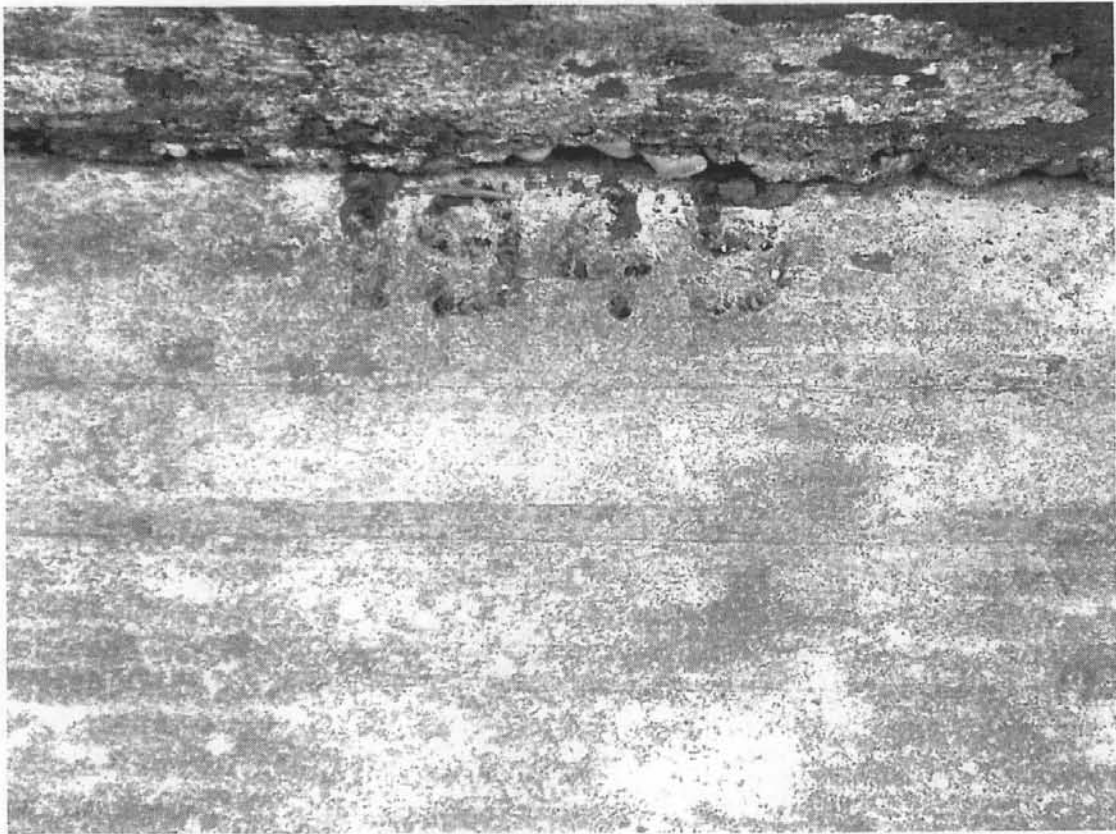
Pat,

As per our conversation yesterday, Liz Johnson and I returned to the property at 106 N. Summit Ave. Attached are the digital photos of the rear step dated 1945, the coal chute door imprinted with "Donley Bros Co, Cleveland OH." It appears there may have been a back porch prior to the addition, as shown in the photos. The brick pier is a different kind of brick than the rest of the house. The addition has cement foundation.

We'd love to see this house renovated. I'd love to see the inside. If there is an opportunity, please call me. Please let me know results of any research.

Thank you,
Mary Jo LaFrance
301.330.4651













TRANSCRIPT OF
JOINT PUBLIC HEARING
ON
**HISTORIC DESIGNATION
HD-31
Housely/Gaither House
106 NORTH SUMMIT AVENUE**

BEFORE THE
CITY OF GAITHERSBURG
HISTORIC DISTRICT COMMISSION
and
PLANNING COMMISSION

on
March 20, 2006

Transcribed by
Doris R. Stokes



PARTICIPANTS

HISTORIC DISTRICT COMMISSION

Chairman Katz
Commissioner Alster
Commissioner Edens
Commissioner Marraffa
Commissioner Schlichting
Commissioner Sesma

PLANNING COMMISSION

Chair Bauer
Commissioner Hopkins
Commissioner Kaufman
Commissioner Levy
Commissioner Winborne

CITY ATTORNEY

Cathy G. Borten

STAFF

Planner Patula
Rhonda Bernstein, Member of the Historic Preservation Advisory Committee

SPEAKERS FROM THE PUBLIC

Winfrey Irvin, 405 South Frederick Avenue
John Roddy, 105 South Summit Avenue
Claudio Joseph, Chevy Chase, Maryland

Katz I believe Pat Patula is going to be explaining what we are doing?

Patula Good Evening. To explain what we are doing, we are having technical difficulties. The PowerPoint presentation is able to be produced, so we are going to have the TV camera follow the pictures on the board as best we can, and we are distributing a larger size picture of each slide so that you can follow right along. This is a public hearing on application HD-31 for the designation of the Housley/Gaither House. This hearing has been duly advertised in the Gaithersburg Gazette on March 1 and 8, 2006 and the property posted. At the present time there are 21 exhibits in the record file. These exhibits are referenced in an exhibit list in the file. The individual exhibits may be reviewed during the course of the meeting or in the Planning Office during regular business hours at City Hall. Any objections to the receipt of any exhibit should be noted prior to the closing of the record; otherwise, they will be deemed received in evidence.

This evening, Ronda Bernstein who is a member of the Historic Preservation Advisory Committee, will present the historical and architectural background of this site. I will follow-up with the criteria from the Historic Preservation Ordinance selected as being applicable for the site to be designated as a local historic site. So with that Ms. Bernstein will start and I will point over here.

Bernstein Good evening. My name is Rhonda Bernstein. I am a member of the Historic Preservation Advisory Committee. The Housley/Gaither House is located at 106 North Summit Avenue, in Olde Towne Gaithersburg. Research, which includes the title and ownership records, the census records, and style evaluation, places the date of construction at about 1929. The place this house in the City for you, this aerial shows the location of the site. It fronts on North Summit Avenue. At present, the site consists of a single family dwelling and its side yard. As can be seen, apartments flank it on both the left and right sides of the picture. Directly

to the north of the site, middle top of the aerial, is where the recently approved Bozzuto development of 45 dwelling units will be built. These will include mostly two-over-two condominiums and some town homes. Immediately adjacent to the property coming south, are two small frame dwellings. Towards the bottom of the aerial photo, south of the site, are more apartments and some townhouses.

The legal description of the site is Parcel P773 in the Deer Park Subdivision, and is currently owned by Maryland Community Development Trust, LLC. The Trust is represented by Claudio Joseph, General Manager. This slide is the plat of the Russell and Brookes Subdivision, which is done in 1892. It shows that this entire section of the block from Lee Street to Brookes Avenue belonged to Mrs. M. A. Hutton, (Mary Clopper Hutton) who inherited this part of Deer Park from her father, Francis C. Clopper. The subsequent houses built on the lot after it was subdivided were smaller than those of the Brookes, Russell, Walker Historic District. This is from the Charles J. Maddox Map of August 1894, two years after the previous slide. It defined the City Limits at that time, and also shows the land still vacant and not yet subdivided. The property was within the City limits. This is what the streetscape of this part of North Summit looks like presently. Note the two smaller houses to the right of the picture. As mentioned previously, Mary Clopper Hutton owned this side of the block between Lee Street and Brookes Avenue beginning in 1868, after inheriting it from her father, Francis Clopper. In 1937, Wiley M. Housley and his wife Alberta formally purchased two parcels of land from Mrs. Hutton. In researching Census records, it can be assumed that the Housley's had been living in the house since 1930 as renters before their purchase in 1937. There is no formal record of when the house was actually built. When Alberta Housley died in 1957, Mr. Housley sold the property to Elizabeth G. Gaither and her two daughters, Thelma and Agnes as joint tenants. These Gaithers were the wife and children of Stanley Drathuage Gaither whose father was a cousin of Benjamin

Gaither. As all well know, our City is named after Benjamin Gaither. The Hixon's bought the house in 1986 after the death of Agnes Gaither. It was recently purchased in 2005 by the Maryland Community Development Trust, LLC.

The house is a vernacular craftsman-styled one and a half story residence. This shows the front view which faces North Summit Avenue. There is a large, central, front-gable roof dormer with two windows. This is another view of the front elevation. The structure has a full width front porch supported by massive front brick piers and heavy wooden frame arched openings at the front and sides. The porch is covered by the continuation of the roof pitch in the tidewater colonial style. On the right is a craftsman style home taken from *A Field Guide to American Homes*. On the other side is our subject. Note the similarities of roof style, the single front dormer, the porch style and side gable. The facades are a generally a combination of brick on the first floor and foundation and vinyl clapboard siding on the upper portions. This is a detail of the front gables front dormer with its pair of windows. Note the boxed eaves and the decorative knee brackets supporting them. Note in this close up the massive brick piers, the heavy wooden framed arched openings along the front and the sides, and the presence of beaded tongue and groove wainscoting found in the front porch arch support suggests that the original materials. This photo shows the tidewater colonial roof style from a different angle. Notice again, the decorative knee brackets under the eaves as well as those on the front dormer. This is the south elevation. You can see the sides of the two-story rear portion. The next slide shows the north elevation. The rear façade of the building is shown on this slide. It is a full two-stories created by a near-full width roof dormer. This was likely to have been an original sleeping porch. It has been covered with vinyl siding. The accessory structure on the property or outbuilding, has the driveway coming right up to it currently. At one time it may have been used as a garage, or perhaps at an earlier time, used as a kitchen or

laundry. The building is unique in its number of windows on three sides and an interior fireplace. There are no bathroom facilities in this small building, but it may have also been used as a cottage. The next slide will show these interior features of the outbuilding and that's the interior fireplace.

The property that the house is on has a side yard which is over 8,700 square feet and it has a number of trees. One white oak in particular, is of significant size. This house with its front porch approach to other homes and the people of the City exemplifies the growth and development of the City in the early 1900s. Its current surroundings again demonstrate that ongoing growth. Now it is almost completely surrounded by apartment complexes. The residential character that remains on the street, while visible on the physical plane, is being replaced with commercial uses.

Pat Patula will now continue with a summary of HPAC's recommendations. Thank you for your time.

Patula The Historic Preservation Advisory Committee visited this site on January 8, 2006 and reviewed the historic research. They recommend that the Housley/Gaither House be designated a local historic site per the following criteria: Under Historical and Cultural Significance Sec 24-226(b)(1)a, it has character, interest or value as part of the development, heritage or cultural characteristics of the city and county. Under (c), Historical and Cultural Significance Sec 24-226(b)(1)c, is identified with a person or a group of person who influenced society. This was demonstrated in the presentation. The history of this house shows the residential expansion of this part of Gaithersburg as well as the progression of styles over time. The various property owners were connected with the earliest founding families in the City. Under Architecture and Design Significance Sec 24-226(b)(2)a, embodies the distinctive characteristics of a type, period or method of construction. And under (f), Architecture and Design

Significance sec 24-226(b)(2)f, embodies design, setting, materials, workmanship and ambience to the city's sense of time, place and historic development. This bungalow is an intact example of a popularized vernacular edition of the Arts and Crafts style and retains much of its original materials. The Craftsman details highlighted in the presentation exemplify the distinctive characteristics of this style. That concludes our presentation. If you have any questions?

Katz Thank you very much. Any questions of HPAC or staff? Ok. We are going to here from the public. Thank you very much Pat. This is the time that the Historic District Commission and the Planning Commission hears from anyone who would like to speak on this public hearing topic. We ask that you please keep your remarks to know more than three minutes. I will advise you when you have 30 seconds left of your three minutes so that you can begin to finish your statement. Please note that any additional testimony that you might have, can be submitted to the City in written form and will be a part of the record just as your oral testimony. Please state your name and address for the record. Do we have anyone who would like to speak on this topic please?

Irvin The name is Winfrey Irvin, 405 South Frederick Avenue in Gaithersburg. In 1943 when I was old enough to have a paper route, I served Mr. Housely papers at this address. He was telling me how he built the house in 1939 and 1940. If you are using age as criteria, the two houses that have been approved for demolition just below it, was built around 1900. Mr. (inaudible) use to be a custodian at the high school. He use to brag about it house being the oldest in that part of the City which was built in 1910. The City permitted the same type of structure at 301, the Lewis Reed House, 305, the (inaudible) house be torn down and commercially zone which is now paint store. On 12 Maryland Avenue, Dr. Bates built a house the same of this, owned by the family for years. And at 15 Walker House, there is one on Brookes Avenue, there are two on Cedar Avenue,

all in residential areas with the same construction. In 1984, Jackie Gaither died and I was hired to do the appraisal. I checked with the City and other areas and had no historical designation at this time. Referring to Mrs. Gaither, she was a nice lady and I served her automobile when I was 15 and 16. She had a farm down on Shady Grove Road. Gaither Road is now named for her. She brought this house as a residence because the farm was sold. The little building they see out back started out as a tool shed and Jackie converted it into an artist studio. Prior to her death in 1984, Jackie offered to the City, the house and her paintings for an historical museum and the City turned it down. According to Sanford Daily, we have no interest in a place that is not historic, her house or her paintings. To me, this would be a (inaudible) designation of historic site, also it kind of lacking a barn. All of the records are gone. Thank you, my time is up.

Katz Thank you. Anyone else in the audience, please John.

Roddy John Roddy, 105 South Summit Avenue. I appear tonight instead of David Shayt, the Chair of the Olde Town Advisory Committee. That Committee, as you know is comprised of both the commercial interest and residences of the area like me. I know that you have in your packages, the letter of March 13, 2006 from our Committee. I won't insult you by just reading it to you. I will give a short recap for those folks that do not have it. It is the consensus of the Committee that this not to be given historic designation. We do not support it. And the reasons very briefly. There are three other examples of the Craftsman Style in the City as we have detailed in one paragraph in the letter and my colleague has referred to. Secondly, the association with the Gaither is someone tenuous. It's a niece and two daughters. And thirdly, the historical designation itself is rather a long term indication. It would suggest that we believe this is the highest and best use of the property. And (inaudible) of circumstances in this case we think necessarily that it is so. We on the Committee applaud

the considerable amount of research that went behind the application and we would like the public to appreciate it. Not only is this a difficult decision for you folks to make, but that you do have a considerable amount of factual research and analysis upon which you will be allowed to make a reasonable decision. We don't envy you, but thank you.

Katz We thank you very much on that historic note, anybody else in the audience, please?

Joseph I am General Manager for the Maryland Community Planning Development Trust.

Katz Can you give your name please?

Joseph My name is Claudio Joseph. My address is Chevy Chase, Maryland. I am the General Manager for the Maryland Community Planning Development Trust. When I originally purchased the house, I tried to assess if it was going to be considered historical. Although, when I looked to the heating equipment manufactured in about 1940, I felt that if that would be an historical site, then I would be historical too and so many people here would be historical. So it doesn't make sense to call something that is the same age that we are. And the other thing that I feel is important is that, how long does a families influence in society important. Why a child of Gaither, is that an influence in society or is the person himself who had an influence in society. I don't see where a son of a person has an influence on society in Gaithersburg, is going to be also nominated as a person that has influenced the society of Gaithersburg. I don't see where that would be possible. So the other thing regarding the building, it is a bungalow. Bungalow which comes from the Indian word Bungala, so it is very little to say (inaudible) like it's a colonial house, it is basically the history. I looked and took pictures from 1,000 of houses in Chevy Chase and Washington, D.C. and around the areas. All of these

houses would be historical, I don't see where that would have to do with history. When I took the decision of purchasing this property, (inaudible) the City gave all the impression that this house was not an historical house. Thank you.

Katz Thank you very much. Anyone else in the audience please? It has been suggested that the Planning Commission hold its record open until, I guess, March 28, 2006 and that they will actually make their recommendation to the Historic District Commission on April 5th.

Bauer Actually, I was going to say one quick thing if you don't mind. I did want to thank and commend Rhonda Bernstein and Pat for the presentation. I thought it was very well presented. Thank you very much for that. But with that, what is the pleasure of the Planning Commission?

Levy I move that the Planning Commission hold its record open on HD-31 until March 28, 2006.

Winborne Second.

Bauer All those in favor please say aye?

Commission Ayes.

Bauer And the Planning Commission will hold its record open until March 28th Mr. Mayor.

Katz Thank you very much. It has been suggested that the Mayor and City Council hold their record open until April 13, 2006, which is a Thursday at 5 p.m. I'm sorry, the Historic District Commission hold its record open until Thursday, April 13, 2006 at 5 p.m. What is the pleasure of the Commission?

Alster So moved.

Marraffa Second.

Katz It's been moved and seconded. All those in favor please say aye?

Commission Ayes.

Katz Opposed? That carries unanimously. And I the Commission will actually make its recommendation at the Tuesday, April 18, 2006 meeting.

End of Joint Public Hearing

HD-31

COMMUNICATION: PLANNING COMMISSION

MEMORANDUM TO: Historic District Commission

FROM: Patricia Patula, Planner
Jacqueline Marsh, Planner

DATE: March 28, 2006

SUBJECT: Staff Analysis HD-31 – Historic Designation of the
Housley/Gaither House
106 North Summit Avenue

Section 24-226.c. of the Preservation of Historic Resources Ordinance requires that "prior to the closing of the public hearing record the city planning department shall submit its finding and recommendations to the historic district commission on the proposed designation." Accordingly, staff submits the following information to fulfill this requirement.

BACKGROUND:

APPLICANT

The City of Gaithersburg Historic District Commission (HDC) is the formal applicant for this application. The impetus for this review was the filing of a demolition request by Claudio Joseph, General Manager for Maryland Community Development Trust, LLC.

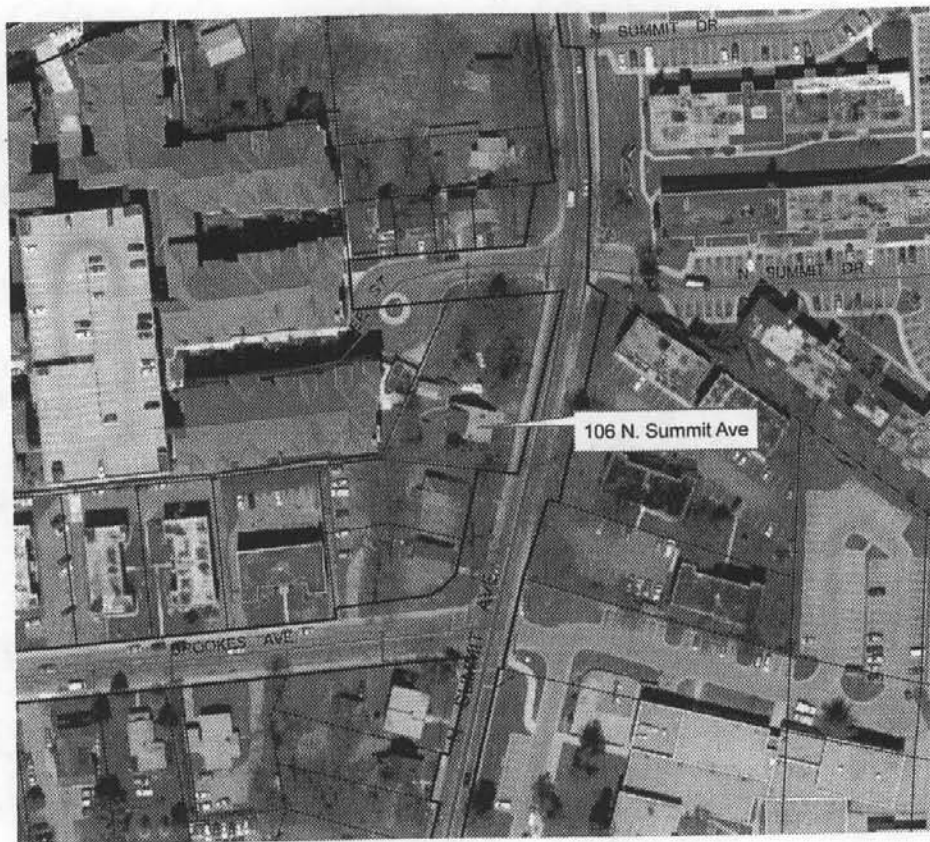
OWNER

Maryland Commercial Development Trust, LLC – Claudio Joseph
5020 Wisconsin Avenue, N.W.
Washington, DC 20016
240-508-0774

LOCATION OF THE PROPERTY

The property, located at 106 North Summit Avenue, is in the Olde Towne District in Gaithersburg, Maryland, and is zoned CBD (Central Business District). Located directly to the north is the redevelopment project Bozzuto at North Summit, which will be comprised of 45 dwelling units, mainly two-over-two condominium units. To the east and west of the subject property are multifamily apartment rental unit buildings. Immediately adjacent to the property coming south, there are two small frame structures that were converted from dwelling units to office space usage.





LEGAL DESCRIPTION

The parcel is identified as:

106 North Summit Avenue
17,678 square feet, Parcel 773
Liber 29626, Folio 394
Tax Account Number 09-201-00833560

DATE OF CONSTRUCTION

According to the Maryland Historical Trust Inventory of Historic Properties Form, prepared by Judy Christensen, the house was constructed between 1929 and 1935.

ZONING HISTORY

The property was zoned R-20 (Medium Density Residential) prior to the rezoning of CBD (Central Business District) effective April 28, 1998.

PHYSICAL CONDITION/DESCRIPTION OF THE PROPERTY

The one and a half story (1-1/2) frame house sits on a two-parcel lot of land and is located on a near-half acre of land. The house sits upon the south parcel with the northern parcel used as a side yard. A driveway north of the house accesses the property. There is a small accessory building in the rear, northwest of the house that has a chimney and a fireplace with a mantle in it, as well as windows and doors. The site contains a number of mature trees including a notable large white oak tree on the north side lot bordering on Park Avenue.

The dwelling unit at 106 North Summit Avenue is a rectangular craftsman-detailed colonial-style side-gabled building has a full width front porch supported by massive front brick piers and heavy wooden frame arched openings at the front and sides. The porch is covered by the continuation of the roof pitch in the tidewater colonial style. It has a large, central, front-gabled roof dormer with two windows. An exterior brick chimney is on the south façade. The rear façade is a full two stories created by a near-full width roof dormer. This was likely to have been an original sleeping porch. The exterior cladding is brick on the foundation, chimney and first story, and vinyl clapboard siding on the dormers and rear enclosed porches. The moderately-pitched roof is clad with composition shingles. The wide eaves are supported with decorative knee brackets, and have a ventilated siding on the underside. The full width front porch is brick with a concrete floor and massive short brick columns are at each end. A brick half wall with drainage holes forms the balustrade.

The facades are generally regular. The front has a central entry door in the north bay and a pair of windows in the south bay. The south façade has one window in the gable and windows in each bay of the first story. There is a coal chute hatch west of the chimney in the foundation. The north façade has a window in each east and west bay and a side entrance in the center. The rear porches and dormers have been closed with vinyl siding. The windows in the enclosed rear porch are one over one modern windows while the dormer and others are six over one and are probably original.

MASTER PLAN CONSIDERATIONS

The 2004 Olde Towne District Master Plan gave the parcel consideration in its proposed recommendations and improvements in the **Sector 5** section:

“Sector 5 is a large area characterized by multi-family dwellings with a few City-owned, underutilized parcels along Summit Avenue. Much of Sector 5 is proposed to remain in its existing condition for the near future. However, opportunities for new development and redevelopment do exist within the sector.”

“Several city-owned parcels along the west side of Summit Avenue between Brookes and Park Avenues do offer significant development opportunity in the near-term. The development of these sites into a higher-density residential community of fee-simple town homes and/or two-over-two condominiums would diversity Olde Towne’s housing stock and tenure, as well as improve the visual quality and pedestrian environment of the area.”

The site is also listed in the draft Historic Preservation Element of the City's Master Plan under a list of site on the list of Olde Towne Historic Resources. Under the Historic Preservation Element's "Objectives" a recommendation states to:

"Preserve resources in conjunction with the Olde Towne Master Plan wherever possible. This may include relocation, adaptive re-use integration into new projects, or inclusion in the proposed Olde Towne Heritage District."

HISTORY OF OWNERSHIP

The property at 106 North Summit Avenue is part of the original Deer Park tract patented by Jeremiah Crabb in 1723. The Southern half of Deer Park was primarily associated with the Clopper and Hutton family.

- | | |
|------|---|
| 1870 | Mary Augusta (Clopper) Hutton receives 229.5 acres from the Francis Clopper's Deer Park estate |
| 1930 | Wiley and Alberta Housley are listed as the renters of 106 North Summit Avenue, according to the U.S. Census |
| 1937 | Wiley and Alberta Housley purchase the land at 106 North Summit Avenue, along with two abutting parcels, from Mary Augusta Hutton |
| 1957 | Alberta Housley dies; Wiley Housley sells the house and land to Elizabeth, Thelma, and Agnes ("Jackie") Gaither as joint tenants |
| 1986 | Jackie Gaither dies, the house is included in her estate |
| 1986 | The property is sold to Daniel and Joan Hixon |
| 2005 | The Hixon's sell the property to The Maryland Commercial Development Trust, LLC |

CHRONOLOGY OF HD-31 RECORD

The record for the designation of this site documents compliance with provisions set forth in the Preservation of Historic Preservation Resources Ordinance.

- | | |
|-------------------|---|
| December 15, 2005 | Claudio Joseph applies for demolition of 106 North Summit Avenue |
| January 8, 2006 | Visit to site by the Historic Preservation Advisory Committee (HPAC) and staff |
| February 2, 2006 | HPAC reviewed significance and made recommendation to HDC for designation as a local site |
| February 21, 2006 | HDC holds policy discussion for staff guidance on 106 North Summit Avenue |
| February 24, 2006 | Legal ads placed, property posted |
| March 20, 2006 | Joint Public Hearing held by Historic District Commission with Planning Commission |
| March 28, 2006 | Planning Commission record closed |
| March 30, 2006 | Staff Analysis prepared and submitted to the record |
| April 5, 2006 | Recommendation to HDC by Planning Commission |
| April 13, 2006 | HDC record closed |
| April 18, 2006 | Policy Discussion by HDC |

STAFF EVALUATION:

RECOMMENDATION FOR APPROVAL

Staff recommends approval of Historic Designation HD-31, for the designation of the Housely/Gaither House, at 106 North Summit Avenue, Gaithersburg, Maryland, as a local historic site.

The property meets the following criteria for historic designation as stated in the Preservation of Historic Resources Ordinance, Section 24-226, of the City Code.

(1) Section 24-226(b)(1) Historical and Cultural Significance.

The historic resource:

- a. Has character, interest or value as part of the development, heritage or cultural characteristics of the city and county**
- c. Is identified with a person or a group of persons who influenced society**

This popularized craftsman-style residence at 106 North Summit Avenue, was one of the second generation houses built by old Gaithersburg families in the new commercial area of Gaithersburg developed after the railroad opened in 1873. Its history shows the residential expansion of this area of Gaithersburg north on Summit Avenue reflecting how the City was growing at the time that it was built. It was owned by families connected with the Briggs and Gaither families who were among the founding families of the City. There are very few buildings left in the City with connection to the Gaither family, their ancestor being Benjamin Gaither, after whom the City is named.

In 1937, William and Alberta Housely bought both parcels, each close to 9,000 square feet, from Mary August Hutton, member of another of the founding families. Based upon the 1930 census, it is assumed that the Housely's were living in the house at that time, setting the construction date about 1929. Alberta Housely was the daughter of Samuel Benjamin Briggs and granddaughter of John Wesley Briggs, both prominent and influential citizens in their day.

The Gaither descendants who purchased the house in 1957 lived there for almost thirty years, well establishing the name to the homestead. The particular Gaither owners of the property were Elizabeth G. Gaither, daughter-in-law of William R. Gaither, who was a cousin to Benjamin Gaither, and her two daughters, Thelma and Agnes, granddaughters of William R. Gaither. Agnes, known as Jackie and the last to have lived there, was active in City affairs, participating in the U.S. Bi-Centennial Committee in 1975-1976 and the Gaithersburg Centennial Committee in 1977 and 1978. She also was well known for her artistic talents which came to the notice of the population through her awards at the County Fair. This type of family connection to the City's past should not be lost.

Therefore, the site has character and value as part of the development and heritage of the City, and is identified with a group of persons who influenced society.

(2) Section 24-226(b)(2) Architectural and Design Significance.

The historic resource:

- a. Embodies the distinctive characteristics of a type, period or method of construction**
- f. Embodies design, setting, materials, workmanship and ambience to the city's sense of time, place and historic development**

The circa 1929 one and a half story bungalow is an intact example of a popularized vernacular edition of the Arts and Crafts style. The house retains much of its original materials and embodies the original craftsman style features: bracketed eaves; wide eave overhang; massive tapered square porch columns; tongue and groove beaded siding; wood-sash six over one windows used singly, paired, and in strings of three; plain board window and door surround; and a massive arched front porch. The porch is covered by the continuation of the roof pitch in the tidewater colonial style. The house has a large, central, front-gable roof dormer with two windows and an exterior brick chimney. The colonial-styled side-gabled craftsman house has a full two-story rear façade created by a near-full width roof dormer. This may have originally been a sleeping porch (used in the summer because there was no air conditioning). The exterior cladding is brick on the foundation, chimney and first story, and vinyl clapboard siding (not original) on the dormers and rear enclosed porches. It is in structurally good condition as is the exterior demonstrating quality of materials and workmanship from a bygone era.

The unique outbuilding appears to be original and is unusual in that it has a fireplace and several windows in addition to the entrance door. This may have been used to provide services to the house, such as laundry or a kitchen. The side yard has a semi-paved driveway and mature trees including a notable white oak. The broader environmental setting which surrounds the subject property has been drastically altered with the construction of apartment buildings and townhouses reflecting the ongoing growth of the City.

As stated before, this house was built during the residential expansion on North Summit Avenue. This is one of the last three single family detached dwellings on North Summit Avenue and the only Arts and Craft style home.

Therefore, the structures embody distinctive characteristics of a particular type, period and method of construction as well as embodying design, setting, materials, workmanship and ambience to the city's sense of time, place and historic development.

SUPPORTING CONSIDERATIONS

HPAC support. The Historic Preservation Advisory Committee (HPAC) supports the designation of the site, because as a historic resource the house meets historic designation criteria, however, the Committee recommends that historic designation should not hinder further development of the site. Specially, the members recommended the buildings (the house and outbuilding) be kept, but not to close off all opportunities for redevelopment or for future construction of the site. The applicant should explore other alternatives and consider different options for the property.

Tax Credit Eligibility. Once the property is designated as a local historic site, the property owner will be eligible for tax credit programs for qualifying work. The first is the Montgomery County Historic

Property Tax Credit for Ten Percent of documented expenses for exterior maintenance, restoration, or preservation. The State of Maryland also offers a tax credit to owners of historic properties. This program is administered by the Maryland Historical Trust and provides a twenty percent income tax credit for interior and exterior rehabilitation of a certified structure. The federal level of tax credits will probably not be applicable to this property since the house is not National Register eligible. There is also a lesser known investment credit of ten percent for buildings constructed before 1936 which may be applicable.

Redevelopment Potential. Redevelopment of this property would allow the property owner to incorporate the existing structure into the development plans as has been done in other parts of Olde Towne, such as some of the buildings on Russell Avenue and East Diamond Avenue.

COMMUNICATION: PLANNING COMMISSION

MEMORANDUM TO: Mayor and City Council

VIA: David Humpton, City Manager

FROM: Patricia Patula, Planner

DATE: April 11, 2006

SUBJECT: HD-31 -- Historic designation of the Housely/Gaither House at 106 North Summit Avenue. The structure was built on Parcel P773 about 1929, and is listed within the City's Inventory of Historic Resources. The City's Historic Preservation Advisory Committee (HPAC) recommended historic designation of the Housely/Gaither House based on criteria within City Code § 24-226.

At its regular meeting on April 5, 2006, the Planning Commission made the following motion:

Commissioner Kaufman moved, seconded by Commissioner Winborne, to recommend HD-31 - Housely/Gaither House, against historic designation to the Historic District Commission, and, acknowledging HPAC's findings, the Commission further recommended preservation of the structures either by incorporation into future redevelopment or relocation.

Vote: 5-0





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**CITY OF GAITHERSBURG
MINUTES OF THE MARCH 20, 2006
HISTORIC DISTRICT COMMISSION MEETING**

A meeting of the Historic District Commission was called to order at 8:40 p.m., Chair Katz presiding. Commissioners present: Alster, Edens, Marraffa, Schlichting and Sesma. Planning Commissioners present for the joint public hearing: Bauer, Hopkins, Kaufman, Levy, Winborne. Staff present: City Manager Humpton, Planner Patula, Rhonda Bernstein (Member of the Historic Preservation Advisory Committee [HPAC]), City Attorney Borten and Administrative Assistant Stokes.

APPROVAL OF MINUTES

Motion was made by Commissioner Edens, seconded by Commissioner Marraffa, that the minutes of a Historic District Commission meeting held December 19, 2005, be approved.

Vote: 6-0

Motion was made by Commissioner Schlichting, seconded by Commissioner Marraffa, that the minutes of a Historic District Commission meeting held February 21, 2006, be approved.

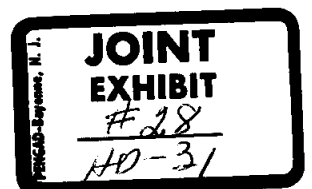
Vote: 5-0-1 (Abstained: Edens)

JOINT PUBLIC HEARING

HD-31, Designation of the Housely/Gaither House at 106 North Summit Avenue

Planner Patula introduced the above joint public hearing advertised in the *Gaithersburg Gazette* on March 1 and 8, 2006, and the property was posted. At the present time there are 21 exhibits in the record file.

Rhonda Bernstein, HPAC member, presented an architectural description of the vernacular craftsman-styled one and a half story residence and reviewed the elevations of the house. She incorporated the cultural and social importance of the site for the Commissions. Research dates the house at about 1929. Member Bernstein presented information which includes the title and ownership records, census records, and style evaluation. She showed aerial views of the location of the site which fronts on North Summit Avenue, stating that at the present time, the site consists of a single family dwelling and its side yard. Member Bernstein gave legal description of the site, stating that Parcel P773 is located in the Deer Park Subdivision and currently owned by Maryland Community Development Trust, LLC, represented by Claudio Joseph, General Manager. History was given about the families who were associated and lived in the house. The Gaither descendants purchased the home in 1957, cousin of Benjamin Gaither, after whom the City is named. She further stated that the house was again purchased in 1986 after the death of Agnes Gaither and recently purchased in 2005 by the Maryland Community Development Trust, LLC.



Pat Patula continued the presentation with a summary of the criteria of historic significance of the Housely/Gaither House. She stated HPAC visited the site on January 3, 2006, reviewed and evaluated the research and made recommendations to the Historic District Commission on the criteria for historic significance. The HPAC recommended that the house be designated historic on the local level using the following criteria from the City's Preservation of Historic Resources Ordinance: Historical and Cultural Significance, Section 24-226(b)(1)a, has character, interest or value as part of the development, heritage or cultural characteristics of the city and county; Historical and Cultural Significance Sec 24-226(b)(1)c, is identified with a person or a group of persons who influenced society; Architecture and Design Significance, Section 24-226(b)(2)a, embodies the distinctive characteristics of a type, period or method of construction; and under Architecture and Design Significance, Section 24-226(b)(2)f, embodies design, setting, materials, workmanship and ambience to the city's sense of time, place and historic development.

Speakers from the public:

1. *Winfrey Irvin, 405 South Frederick Avenue*, questioned using the age of said home as criteria stating that two nearby homes built in the 1900, were approved for demolition. Not in support of historic designation for 106 North Summit Avenue.
2. *John Roddy, 105 South Summit Avenue, Olde Towne Advisory Committee Member*, speaking on behalf of the Committee, referred to a letter submitted dated March 13, 2006. He stated that the Committee is not in favor of the historic designation for various reasons. He stated that historic designation would not be the best use for the property. He applauded the research done for the application.
3. *Claudio Joseph, General Manager, Maryland Community Planning Development Trust*, questioned how long a family influence in society is considered important. Stated the home was purchased with the impression that it would not be designated historic.

There were no other speakers. Both Commissions thanked Planner Patula and HPAC Member Bernstein for the presentation and commended those involved in the research.

Motion was made by Planning Commissioner Levy, seconded by Commissioner Winborne, that the Planning Commission record on HD-31 remains open until March 28, 2006, and make a recommendation to the Historic District Commission on April 5, 2006.

Vote: 5-0

Motion was made by Historic District Commissioner Alster, seconded by Commissioner Marraffa, that the Historic District Commission record on HD-31 remains open until April 13, 2006, 5 p.m., vote anticipated on April 18, 2006.

Vote: 5-0-1 (Abstained: Edens)

ADJOURNMENT

There being no further business to come before the Historic District Commission, the meeting was duly adjourned at 9:05 p.m.

Respectfully submitted,

Doris R. Stokes



Administrative Assistant